City Planning Commission Meeting Tuesday, December 9, 2014

CPC Deadline: 01/23/15 CC Deadline: 02/24/15 Council District: A – Guidry

### PRELIMINARY STAFF REPORT

To: City Planning Commission Prepared by: Editha Amacker

Zoning Docket: 119/14 Date: December 2, 2014

### I. GENERAL INFORMATION

**Applicant:** CITY OF NEW ORLEANS

Request: This is a request for an Amendment to Ordinance No. 24,006 MCS (Zoning

Docket 039/10, which granted a zoning change from an LP Lake Area Neighborhood Park District to an LRM-1 Lake Area Low-Rise Multiple-Family Residential District and a Conditional Use to permit the renovation and expansion of an existing television station and associated accessory equipment) to permit the further expansion of a television station and associated accessory equipment, in an

LRM-1 Lake Area Low-Rise Multiple-Family Residential District.

Location: The location is in the Second Municipal District and being a portion of that

certain tract known as the Delgado Tract, bounded by Navarre Avenue, General Diaz Street, Orleans Avenue, and City Park Avenue. The municipal address is

916 Navarre Avenue. (PD 5)

**Description:** The petitioned site is on the Delgado Tract next to City Park. The site is owned by

the City of New Orleans and leased to WYES public television in a long-term lease. The property is 400 feet from the intersection of Navarre Street and General Diaz Streets and fronts Navarre Street for 200 feet. The leased property extends 400 feet into the Delgado Tract on both the Orleans Avenue and General Diaz Street sides of the property for a total area of approximately 80,000 square feet (1.84 acres). The site houses the studio, offices, communication towers and

satellite equipment for WYES public television broadcast station.

As authorized in Zoning Docket 39-10, a three-story brick and steel structure was constructed next to the original one-story brick building. This 27,354 square foot building includes two studios, offices, a server room, storage space, and production control facilities. The proposal included thirty-four (34) parking spaces and a loading area for production trucks. This was Phase I of the overall

project.

ZD 119/14

This request concerns the proposal for Phase II. The applicant proposes to demolish the original one-story building and construct a four-story addition adjacent to the existing three-story structure that was built in Phase I. The addition will have a floor area of 37,932 square feet and will include a large studio, offices, meeting rooms, and a tenant space for a proposed educational program. The applicant proposes to expand the parking area into the green space in front of the site and add fifty-five (55) parking spaces, for a total of eighty-nine (89) spaces. The proposal includes a new driveway on Navarre Avenue to create separate access to the WYES site.

### Why is City Planning Commission action required?

The City Planning Commission is required to make a recommendation on all amendments to a conditional use prior to City Council action, in accordance with **Article 16, Section 16.6.4** *Procedures for Conditional Use Permits* of the Comprehensive Zoning Ordinance.

### II. ANALYSIS

## A. What is the zoning of the surrounding areas? What is the existing land use and how are the surrounding areas used?

Zoning and Land Use

The subject site is located on the edge of the Delgado Community College campus, next to an access road and parking area for the Delgado Playground. The petitioned site is flanked by parking areas for Delgado's Student Services Center and Student Life Center. The access road for the playground is used to access WYES' parking lot and the adjacent parking facilities for the Delgado Community College campus. The Navarre neighborhood across Navarre Avenue is primarily composed of one-story, single-family residences. There are some two-family residences and townhouses on Navarre Avenue. It is within three blocks of the South Lakeview Historic District.

It is located within an LP Lake Area Neighborhood Park District established in 2007. The area was previously designated as an RM-4 Multi-family residential district. The proposed site is leased property from the Delgado Tract, in the area roughly bounded by City Park on the east, Canal Boulevard on the west, and from Interstate 610 on the north to City Park Avenue on the south. The surrounding area is zoned LRS-1 Lakeview Single-Family Residential District.

### B. What is the zoning and land use history of the site?

Zoning: 1929 – A Residence District

1953 – B Two-Family District

1970 – RM-4 Multi-Family Residential District

2007 – LP Lake Area Neighborhood Park District<sup>1</sup>

Current - LRM-1 Lake Area Low-Rise Multiple-Family Residential

District<sup>2</sup>

Land Use: 1929 – City Park

1949 – Public and Semi-Public Land 1999 – Parkland/Recreation/Open Space<sup>3</sup>

# C. Have there been any recent zoning changes or conditional uses in the area? If so, do these changes indicate any particular pattern or trend?

Zoning Docket 62-07 was a request for a text amendment to amend the Comprehensive Zoning Ordinance No. 4264 MCS as amended to create a new article and new chapter to be named the Lake Area Zoning District with related district designations and regulations and appropriate changes to any existing corresponding regulations in the CZO as needed. The City Planning Commission recommended modified approval, and the City Council approved the changes subject to further modifications. This area covers all of Planning District 5, including the subject site.

Zoning Docket 39-10 was a request for a zoning change from an LP Lake Area Neighborhood Park District to an LRM-1 Lake Area Low-Rise Multiple-Family Residential District and for a conditional use to permit the renovation and expansion of an existing television station and associated accessory equipment. The City Planning Commission recommended approval of the request which was subsequently approved by the City Council. This is the subject site. The approved waivers and provisos follow.

### Waivers

- 1. The developer shall be granted a waiver of Article 9A, Section 9A.6.7 of the Comprehensive Zoning Ordinance, which states that the maximum height of a building in a LRM-1 district shall not exceed forty (40) feet, permitting construction of buildings on this site up to a maximum height of sixty (60) feet.
- 2. The developer shall be granted a waiver of **Article 9A.6.6.2** of the Comprehensive Zoning Ordinance, requiring any sign in LRM-1 districts be less than (50) square feet in area, allowing the developer to install an attached sign less than one hundred and twenty (120) square feet in area.
- 3. The developer shall be granted a waiver of Article 15, Section 15.3.1. Table of Requirements and Table 15.G. Loading Requirements of the Comprehensive Zoning Ordinance, which require the provision of two (2) off-street loading spaces, to permit the provision of one (1) off-street loading space.

<sup>&</sup>lt;sup>1</sup> ZD 062-07 was a request for a text amendment to create the Lake Area Zoning Districts.

<sup>&</sup>lt;sup>2</sup> This part of the zoning change and conditional use request for ZD 039-10.

<sup>&</sup>lt;sup>3</sup> The 1999 Land Use Plan presents a generalized indication of land uses throughout the city; it is not lot-specific.

### **Provisos**

- 1. A six (6) inch continuous concrete vertical curb shall be installed along the edge of the WYES parking lot bordering the Delgado access road, with appropriately-spaced molded breaks to allow for drainage.
- 2. The developer shall submit a detailed landscape plan prepared by a licensed Louisiana landscape architect, subject to final approval by City Planning Commission and the Department of Parks and Parkways indicating the following:
  - o A tree preservation and protection plan for the existing oak trees.
  - o The species, size, location, and irrigation of all proposed plant materials within the common areas, with the applicable remarks.
  - O A non-invasive vine (such as creeping-fig) shall be continuously planted along the façade of the existing WYES station building facing Navarre Avenue, and be allowed to overtake said building.
  - O All residual areas in the parking area, which are not used for parking or vehicular access, shall be landscaped with trees, shrubs or groundcover.
  - O A landscaped island shall be required every ten (10) continuous parking spaces, to include the planting of a minimum of one (1) shade tree, shrubs and/or ground cover.
  - o Fence installation along the Orleans Avenue side of the property as indicated on the provided site plan, creating a unified enclosure for cellular transmission buildings and television transmission equipment.
  - Fence material detail it shall occlude visibility to the public and shall not consist of open chain link fence or barbed/concertina wire.
- 3. The developer shall better articulate the entrance plaza and provide better pedestrian access. This could include landscaping modifications, choice of materials or other techniques to improve access and ambiance of the entrance of the building.
- 4. The developer shall submit a modified site plan indicating a designated area for refuse collection and storage; this location shall not be adjacent to curb cuts, the proposed front entrance or neighboring property.
- 5. The refuse dumpster shall be stored within the designated trash storage area at all times screened by a minimum six (6) ft. opaque fence with latching gates.
- 6. The developer shall submit a revised West elevation drawing that integrates a vertical attached sign into the blank brick exterior of the stairwell wall. The sign text shall be composed of detached letters, and shall be illuminated at night.
- 7. The developer shall install a maximum thirty-six (36) high monument sign at each entrance to the WYES parking lot, including Navarre Avenue and Delgado access road, indicating that parking is for WYES staff and visitors only.

- 8. The developer shall submit an illumination plan indicating the location, height and specifications of lighting for the building and the parking lot area, subject to review and approval by the City Planning Commission staff.
- 9. The developer shall only park production trucks on the south end of the property or within the studio space.
- 10. The developer shall provide bicycle racks to provide sufficient bicycle parking for a minimum of 1/10 of the proposed parking spaces.

**Zoning Docket 36-10** is a request for a Zoning Change from an LRS-1 Lakeview Single-Family Residential District to an LB-1 Lake Area Neighborhood Business District and a Conditional Use to permit the sale of alcoholic beverages for consumption on premises in a standard restaurant. The municipal address is 800 Navarre Avenue. The City Planning Commission recommended approval of the request which was subsequently approved by the City Council. *This site is two blocks from the subject site*.

### D. What are the comments from the Design Review staff?

Additions to the provisos are shown in **bold** and deletions are designated by strikethrough.

Site overview

The proposed conditional use would authorize the construction of Phase II of a project to build a new station facility for WYES. The petitioned site is a leased portion of the Delgado Tract, measuring 200 feet wide by 400 feet deep for a total area of 80,000 square feet and 1.84 acres. The site meets the requirements in **Article 9A**, **Section 9A.6.7 Table 9A.J** regarding the required lot width, lot depth, and lot area for a nonresidential use in the LRM-1 Lake Area Low Rise Multiple-Family Residential District.

The site is occupied by a three-story main building, an existing one-story building proposed for demolition, an antenna tower, a satellite dish, and several small utility structures. The proposed demolition of the original one-story station building must be authorized by the Neighborhood Conservation District Committee. Therefore staff recommends the following:

 The applicant shall secure approval from the Neighborhood Conservation District Advisory Committee for demolition of the existing one-story, brick building.

### Building Design

The three-story brick and metal building was constructed behind the original one-story building as part of Phase I of the overall project. The plans reviewed for Zoning Docket 39-10 indicated that the building would have a floor area of 21,500 square feet but the building actually has a total floor area of 27,354 square feet. The front entrance of the building faces the playground. The first floor has offices, two large studios, storage room and a reception area. The second floor is primarily open to accommodate the studios and production control facilities. The third floor has offices and computer servers.

The proposed addition is part of Phase II of the project. The metal and brick building reflects the design of the existing three-story building. The four-story addition will have a floor area of 37,932 square feet. It will include a large studio in the center of the new building which occupies a large portion of the first and second floors. The third floor is designated as tenant space for a proposed educational facility to teach high school students about broadcasting and digital media. The fourth floor will have offices and meeting rooms. The resulting building will have the following floor areas:

First Floor	20,310 square feet
Second Floor	20,201 square feet
Third Floor	14,473 square feet
Fourth Floor	10,285 square feet
Total	65,269 square feet

### Floor Area Ratio

Article 9A, Section 9A.6.7 of the Comprehensive Zoning Ordinance restricts Nonresidential-classified uses within LRM-1 to a maximum Floor Area Ratio (FAR) of 1.0. The leased area is 80,000 square feet and the building will have a total floor area of 65,269 square feet. The floor area ratio of the site will be 0.816 which is below the maximum allowed in the district.

### Open Space Ratio

The minimum open space ratio for the LRM-1 District is 0.3 or 30% of the lot area. The lot coverage of the proposed building is 20,310 square feet and the utility structures occupy approximately 650 square feet. The remaining open space will be approximately 59,040 square feet, for an open space ratio of 73%. This exceeds the minimum requirements.

### Setbacks

The proposal meets the required setbacks for a non-residential use in the LRM-1 District. No waivers are necessary as indicated below:

		Required	Provided
Min depth of front yard:		20'	142'
Min width of side yards:	Marconi Drive side	10'	21' 3"
	Delgado side	10'	57' 1"
Min (%) aggregate width of side yards:		20%	45%
Max aggregate width of side yards:		20'	77'4"
Min depth of rear yard:		20'	44' 11"

### Height

The building exceeds the forty foot (40') height limitation for buildings in the LRM-1 District. The three-story Phase I building received a waiver in Zoning Docket 39-10 to permit a maximum height of sixty feet (60'). The proposed addition will have a height of sixty-nine feet nine and five-eighth inches (69' 9 5/8"). In the previous staff report, it was noted that there are comparable-sized buildings on the Delgado Community College campus and the height and massing of the building will have negligible impact on the neighboring properties due to the large setback from the street. Staff noted on a site visit that the large oak trees in the front yard are effective at concealing the massing of the buildings on the site. Given these reasons, staff finds that the increase in the height waiver is warranted.

• The applicant shall be granted a waiver of Article 9A, Section 9A.6.7 of the Comprehensive Zoning Ordinance, which states that the maximum height of a building in a LRM-1 district shall not exceed forty (40) feet, permitting construction of buildings on this site up to a maximum height of sixty (60) feet sixty-nine feet nine and five-eight inches (69' 9 5/8").

### Site Circulation

Currently, the parking lot is located on the west side of the building, adjacent to an access road for the playground and the parking areas for the nearby Delgado Community College campus facilities. The applicant proposes to create an additional driveway from Navarre Avenue. Vehicles would access the parking areas for WYES from the new driveway and the opening for the access road at the southwest corner of the site would be used for egress only.

In Zoning Docket 39-10, the applicant proposed to include thirty-four (34) parking spaces in the parking lot west of the building. The applicant is proposing to include eighty-nine (89) spaces on the site. This will expand the parking area into the green space adjacent to Navarre Avenue. The applicant proposes to move the loading area from the southwest corner of the site to the front of the new building. The parking spaces and loading area will be accessed using a new driveway on Navarre Avenue.

The curb cut for the new driveway must be approved by the Department of Public Works.

Therefore, the following is recommended.

• The applicant shall secure approval from the Department of Public Works for all proposed curb cuts.

According to Article 15, Section 15.2.3 Parking in Front Yards, parking spaces cannot be located between the street right-of-way and the front façade of a building. Twenty-two (22) off-street parking spaces are proposed in the green space between the building and the large oak trees in front of the Navarre Avenue right-of-way. Sixteen (16) spaces are proposed in front of the new loading area in front of the building on the Marconi Drive side of the site. Therefore, a total of thirty-eight (38) parking spaces are proposed in the green space in front of the building. In the parking section of the report, it is noted that fifty-five (55) off-street parking spaces are required. The applicant does not need to remove such a large amount of green space in front of the building given that the proposed number of parking spaces exceeds the requirements. Eliminating thirty-eight (38) spaces would leave fifty-one (51) spaces in the current configuration. The site plan can be redesigned to accommodate an additional four (4) parking spaces in the side yard.

The current loading spaces are awkwardly accessed at an angle to the access road on the southwest corner of the site. Moving the loading area to the front of the building with access to a separate driveway will improve the current situation. The applicant would no longer park production trucks on the south end of the property because the area will be used for vehicular parking. Therefore, staff recommends the following:

- The applicant shall be granted a waiver of Article 15, Section 15.2.3 Parking in Front Yards of the Comprehensive Zoning Ordinance, which prohibits off-street parking from being located between a street line and the nearest point of the front façade of a building, to allow a loading space in front of the proposed structure on the Marconi Drive side of the building.
- The developer shall only park production trucks on the south end of the property or within the studio space.
- The applicant shall submit revised plans which remove the proposed parking spaces in front of the building and shows a loading space in front of the loading area on the Marconi Drive side of the building.

The submitted site plans show primary access to the site by car but it does not accommodate pedestrian access to the site or the building. Given that the applicant proposes to construct a sidewalk in the right-of-way along Navarre Avenue, the site plan should include a walkway from the proposed sidewalk to the front entrance. The parking lot should also include striping to designate a crosswalk for pedestrians to cross the parking lot from their vehicles to the building. Therefore, staff recommends the current proviso related to pedestrian access to reflect the current proposal:

• The developer shall better articulate the entrance plaza and provide better pedestrian access. This could include landscaping modifications, choice of materials or other techniques to improve access and ambiance of the entrance of the building. The applicant shall submit revised site plans which indicate pedestrian walkways to the front entrance from Navarre Avenue and crosswalks in the parking lot.

It was noted in Zoning Docket 39-10 that access to the WYES parking lot was confusing because there was no clear separation from the other parking areas on the common access road. The staff at that time recommended a six inch (6") vertical curb between the access road and the WYES parking lot. A curb is in place, but it was noted on a recent staff visit that it is still difficult to distinguish the WYES parking area, and paving from the connected parking areas has an undesirable visual impact on the area. A small row of landscaping would be more effective at separating the WYES parking lot and improving the visual impact of the multiple parking areas. The internal driveway can be reduced to twenty feet (20') to accommodate two-way traffic. This will provide space for a three foot (3') hedge adjacent to the access road. Therefore the staff recommends the following revision:

• A six (6) inch continuous concrete vertical curb three foot (3') landscape strip with shrubs shall be installed along the edge of the WYES parking lot bordering the Delgado access road, with appropriately spaced molded breaks to allow for drainage.

### Landscaping

The landscape plan shows a combination of trees and groundcover throughout the site. The proposal includes a tree protection plan for existing trees on the site and it includes instructions on how the trees will be protected during construction. The existing trees include five (5) live oak trees in front of the building and seven (7) crepe myrtles along an old walkway from Navarre Avenue. The applicant proposes to retain and protect the live oak trees and remove the crepe myrtles. The proposal includes the addition of Shumard oak trees in front of the building and in the parking lot islands. Shrubs and groundcover are proposed along the new driveway entrance and within planters adjacent to the building. The landscape plan includes a plant schedule with the genus, species, size, and quantity of proposed plant materials. The landscape plan must be approved by the Department of Parks and Parkways and the plans must be stamped by a licensed Louisiana landscape architect. The current proviso includes language in reference to landscaping for the existing one-story structure. This is no longer necessary given that the building must be demolished for Phase II. Therefore, the staff reiterates the following portions of the existing proviso:

• The developer shall submit a detailed landscape plan prepared by a licensed Louisiana landscape architect, subject to final approval by City Planning Commission and the Department of Parks and Parkways indicating the following:

- O A tree preservation and protection plan for the existing oak trees.
- o The species, size, location, and irrigation of all proposed plant materials within the common areas, with the applicable remarks.
- A non-invasive vine (such as creeping fig) shall be continuously planted along the façade of the existing WYES station building facing Navarre Avenue, and be allowed to overtake said building.
- o All residual areas in the parking area, which are not used for parking or vehicular access, shall be landscaped with trees, shrubs or groundcover.
- O A landscaped island shall be required every ten (10) continuous parking spaces, to include the planting of a minimum of one (1) shade tree, shrubs and/or ground cover.
- o Fence installation along the Orleans Avenue side of the property as indicated on the provided site plan, creating a unified enclosure for cellular transmission buildings and television transmission equipment.
- o Fence material detail it shall occlude visibility to the public and shall not consist of open chain link fence or barbed/concertina wire.

### Trash Storage

The dumpsters are shown at the end of the parking area at the southwest corner of the building. The plans show an enclosure for the dumpster but information about the height of the enclosure and the materials are not included and need to be noted on the plans. An approved litter abatement program was not required for the initial conditional use but is standard for current conditional use requests. The following standard provisos and revisions are recommended:

- The developer shall submit a modified site plan indicating a designated area for refuse collection and storage; this location shall not be adjacent to curb cuts, the proposed front entrance or neighboring property.
- The refuse dumpster shall be stored within the designated trash storage area at all times screened by a minimum six (6) ft. opaque wood or masonry fence with latching gates.
- The applicant shall provide to the City Planning Commission a litter abatement program letter, approved by the Department of Sanitation, inclusive of the stated location of trash storage, the type and quantity of trash receptacles, the frequency of trash pickup, and the clearing of litter from the adjacent sidewalks and the street right-of-way, as necessary. The name and phone number of the owner/manager shall be included in this letter to be kept on file in case of any violation.

### Lighting

The applicant has submitted lighting and photometric plans. The lighting plan shows pole mounted lights in the parking lot and new lights proposed in the front parking areas. Wall mounted lights are shown on the front façade of the proposed addition. Lights are proposed for the new signage at the entrance to the proposed driveway.

There are residences across Navarre Avenue from the site. The photometric plan does not indicate that illumination will extend beyond the Navarre Street right-of-way. The height and type of light fixtures are not indicated. The following revisions are recommended:

• The developer shall submit an illumination plan indicating the location, height and specifications of lighting for the building and the parking lot area, subject to review and approval by the City Planning Commission staff. The applicant shall submit specifications for the lights and revise the lighting plan or the elevations to indicate the height of the proposed light standards, subject to the approval of the staff of the City Planning Commission. Light standards shall be limited in height to twenty-five feet (25') and shall be directed away from nearby residential areas.

### Signage

In Zoning Docket 39-10, a waiver was granted to allow a one hundred twenty foot (120') attached sign on the building façade. The applicant deferred installation of the sign to Phase II. Directional signage was recommended for the parking areas and should also be included with the new driveway. The submitted plans show directional signage in the parking lot and at the front of the new driveway. The plans also show a monument sign that was previously recommended and installed in Phase I. Therefore, staff reiterates the associated waiver and provisos:

- The developer shall be granted a waiver of **Article 9A.6.6.2** of the Comprehensive Zoning Ordinance, requiring any sign in LRM-1 districts be less than (50) square feet in area, allowing the developer to install an attached sign less than one hundred and twenty (120) square feet in area.
- The developer shall submit a revised West elevation drawing that integrates a vertical attached sign into the blank brick exterior of the stairwell wall. The sign text shall be composed of detached letters, and shall be illuminated at night.
- The developer shall install a maximum thirty-six (36) high monument sign at each entrance to the WYES parking lot, including Navarre Avenue and Delgado access road, indicating that parking is for WYES staff and visitors only.

### Other provisions

Should the conditional use be approved, the staff recommends the following standard proviso to ensure the development is permitted appropriately by the Department and Safety and Permits in accordance with the requirements of the conditional use.

- The Department of Safety and Permits shall issue no building permits or licenses for this project until final development plans are approved by the City Planning Commission and recorded with the Office of Conveyances. Failure to complete the conditional use process by properly recording plans within a one year time period or failure to request an administrative extension as provided for in Article 16, Section 16.9.11 of the Comprehensive Zoning Ordinance will void the conditional use approval.
- E. What is the potential traffic impact? What are the off-street parking and off-street loading requirements? Can the required number of off-street parking spaces be provided on site, or would a waiver be required?

Traffic

The subject site is three blocks from Canal Boulevard and City Park Avenue which are the nearest major streets according to the *Plan for the 21<sup>st</sup> Century: New Orleans 2030 Major Streets Plan.* Navarre Avenue is a two-way, two-lane undivided roadway with onstreet parking. There is moderate traffic during the day from students arriving and leaving campus before and after class. Two bus routes have stops near Navarre Avenue and Marconi Drive.

It was noted in Zoning Docket 39-10 that there were twelve (12) employees for the broadcast station. In the Neighborhood Participation Plan (NPP) summary report for this request, the architect noted that there are now thirty (30) employees and the parking spaces will also accommodate approximately twenty (20) visiting production staff. This would increase traffic to the location and exceed the capacity of the existing thirty-four (34) space parking lot. The proposal to add a new driveway for access to the WYES parking area would help alleviate some of the confusion and additional traffic on the shared access road for Delgado Community College and the adjacent playground. It was also noted in the NPP summary report that WYES has an arrangement with Delgado Community College to use their adjacent parking lots for after-hours parking during large events at the station.

Bicycle racks were required in the initial conditional use and they are shown on the West side of the building. The plans do not indicate the capacity of the bicycle parking spaces. One bicycle parking space for every ten vehicular spaces was required.

• The developer shall provide bicycle racks The applicant shall submit revised site plans which indicate the number of spaces provided in the proposed bicycle racks, to provide sufficient bicycle parking for a minimum of 1/10 of the proposed parking spaces.

### Parking

The number of off-street parking spaces required for the proposed use, as required by Article 15, Section 15.2.1 Off-Street Parking Regulations for All Districts, Except the CBD Districts and Vieux Carré Districts of the Comprehensive Zoning Ordinance, is presented below.

### REQUIRED OFF-STREET PARKING

Use	Spaces Required per Basic Measuring Unit	Additional requirements
General Service or Repair establishment, printing, publishing, plumbing, heating, broadcasting, laundry	1 per 1,500 square feet of floor area	Auditorium for broadcasting stations requires additional spaces – 1 per 75 square feet of floor space in seating area

The proposal for Phase I required fifteen (15) parking spaces for a proposed 21,500 square foot facility. The Phase I facility actually has a floor area of 27,354 square feet. The proposed addition will have a floor area of 37,932 square feet and will include a large studio with auditorium seating. The seating area will be approximately 805 square feet. The required parking for the building is forty-four (44) spaces and eleven (11) spaces for the auditorium, for a total of fifty-five (55) spaces.

The applicant has indicated that they are providing a total of eighty-nine (89) off-street parking spaces. Thirty-eight (38) spaces will be in the green space in front of the building. It was noted in the Design Review that parking between a building and the right-of-way is not permitted and that the parking spaces have to be removed from the plans. Fifty-one (51) spaces would remain in the current configuration. The plans can be revised to add four (4) spaces in the side yard without interfering with the live oak trees adjacent to Navarre Avenue.

### Loading

It was noted in the previous report that the station has two semi-tractor trailers for off-site production. These trailers are parked inside the building but may need to be parked outside as well. The plans indicate that a loading area at the front of the proposed addition. The plans do not show an off-street loading space near this area or elsewhere on the site. Staff recommends the following:

• The applicant shall submit revised site plans which indicate an off-street loading space that complies with the requirements in **Article 15**, **Section 15.3.4** *Design Standards* of the Comprehensive Zoning Ordinance.

According to Article 15, Section 15.3.1. Table of Requirements and Table 15.G Loading Requirements of the Comprehensive Zoning Ordinance, two (2) off-street loading spaces are required. The applicant received a waiver in Zoning Docket 39-10 to permit one loading space on the site. The off-street loading space requirement has not changed. Given that the loading area will be in the front of the building, having one loading space instead of two will help retain more green space in front of the building. Therefore, the waiver is still warranted.

• The developer shall be granted a waiver of Article 15, Section 15.3.1. Table of Requirements and Table 15.G. Loading Requirements of the Comprehensive Zoning Ordinance, which require the provision of two (2) off-street loading spaces, to permit the provision of one (1) off-street loading space.

### F. Are there any comments from other agencies, departments or committees?

Planning Advisory Committee

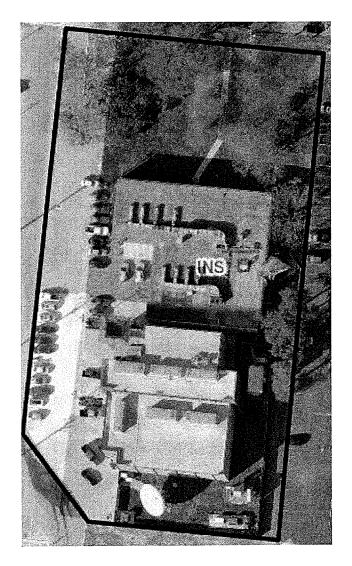
The request was considered by the Planning Advisory Committee at its meeting on November 19, 2014. The committee passed a motion of no objection subject to further review by the City Planning Commission.

# G. What effects or impacts would the proposed conditional use have on adjacent properties?

The broadcast station has operated on the site for over 40 years. The current proposal is Phase II of an overall project to construct modern facility on the site. There are some anticipated adverse impacts on traffic and parking which can be mitigated with the proposed new driveway and additional parking spaces. The Design Review section has addressed concerns related to maintaining the green space in the front of the property, providing a separation from the common access road, providing walkways and crosswalks for pedestrian circulation, providing details for the proposed lighting, and including a litter abatement program. The provisos from the previous request have been updated to reflect the proposal and current standard requirements.

# III. Is the proposed action consistent with the policies and strategies of the *Plan for the* 21<sup>st</sup> Century: New Orleans 2030?

The Plan for the 21<sup>st</sup> Century: New Orleans 2030, commonly known as the Master Plan, designates most of the site as Institutional. Approximately 15,300 square feet (19%) of the site, is designated as Parkland and Open Space, based on its connection with the adjacent park. This area includes portion of the parking lot, as shown below.



### INSTITUTIONAL

Goal: Preserve and enhance existing large-scale institutions such as health care, education (colleges and universities), detention centers and other facilities.

Range of Uses: Hospitals, colleges, universities, military and public detention facilities with large campus-like facilities. Smaller-scale, local houses of worship, public and private schools, police and fire stations, emergency and community centers are included in residential, commercial and mixed-use areas, as they are essential components of neighborhood life.

**Development Character:** Large-scale, coordinated campus development with appropriate transitions to surrounding uses and neighborhoods.

### PARKLAND AND OPEN SPACE

Goal: Provide areas for parks, recreational facilities and open space networks owned by public or semi-public entities while offering the opportunity to utilize such spaces for stormwater management measures.

Range of Uses: Parks, playgrounds, recreation facilities and athletic fields; neutral grounds and passive open spaces, rain gardens, bioswales and other stormwater management measures.

**Development Character:** Ranges from programmatic parks and indoor and outdoor recreational areas to preserved open space, with the opportunity to provide for stormwater management measures.

The requested expansion of a public television station is consistent with the Master Plan's Institutional future land use category. The range of uses includes large public facilities generally within campus-like settings. The public television station is essentially part of the Delgado Community College campus.

Future Land Use Map boundaries generally follow lot lines, street center-lines, or certain natural topographic features. In this case, the CPC staff believes that the map boundary between the Parkland and Institutional categories was intended to be the boundary between the park and the public television station. The CPC staff believes the boundary was difficult to place as both uses provide parking adjacent to one another and both uses are on the same parcel. Furthermore, when the map boundaries were drawn, the map may have been at a different scale, leaving the appearance that the line was correctly drawn between the park and the television station portion of Delgado's campus. Article 3, Section 3.1.5., of the Comprehensive Zoning Ordinance, states that the City Planning Commission shall interpret and determine the location of zoning district boundaries in cases where district boundaries are unclear and do not follow lot lines, streets, or natural topographic features. Extending this procedure for the interpretation of district boundaries to the Future Land Use Map of the Master Plan, the Executive Director has interpreted that the boundary between the Parkland and Institutional designations shall be the edge of the television station parking area.

Therefore, the request is **consistent** with the *Plan for the 21<sup>st</sup> Century:New Orleans 2030 Land Use Plan*, as for the entire site being designated Institutional.

### IV. SUMMARY

The applicant proposes to construct a four-story addition as part of Phase II of the construction of a new broadcast station facility for WYES. The site houses the studio, offices, communication towers and satellite equipment. The current three-story building was authorized through Zoning Docket 39-10. The original one-story brick building will be demolished. The addition will have a floor area of 37,932 square feet and will include a large studio, offices, meeting rooms, and a tenant space for a proposed educational

program. The proposal includes a new driveway on Navarre Avenue and an expanded parking lot to provide eighty-nine (89) parking spaces.

The Design Review section has addressed concerns related to maintaining the green space in the front of the property, providing a separation from the common access road, providing walkways and crosswalks for pedestrian circulation, providing details for the proposed lighting, and including a litter abatement program. The staff recommends reducing the proposed number of parking spaces to that which is required in order to keep as much of the green space in front of the site as possible. An additional waiver to allow loading spaces in front of the building is recommended because the proposal will address an existing problem with loading access on the site. The provisos from the previous request have been updated to reflect the proposal and current standard requirements.

The *Plan for the 21<sup>st</sup> Century Land Use Plan* designates most of the site Institutional and portion of the parking lot is designated Parkland and Open Space. The proposed expansion is consistent with the Institutional land use category. The proposal is not addressed by the Master Plan as it relates to the portion of the site designated Parkland and Open Space.

### V. PRELIMINARY STAFF RECOMMENDATION<sup>4</sup>

The staff recommends **Approval** of Zoning Docket 119/14, a request for an Amendment to Ordinance No. 24,006 MCS (Zoning Docket 039/10, which granted a zoning change from an LP Lake Area Neighborhood Park District to an LRM-1 Lake Area Low-Rise Multiple-Family Residential District and a Conditional Use to permit the renovation and expansion of an existing television station and associated accessory equipment) to permit the expansion of a television station and associated accessory equipment, in an LRM-1 Lake Area Low-Rise Multiple-Family Residential District., subject to four (4) waivers and fourteen (14) provisos.

Additions are in **bold** and deletions are designated by strikethrough.

### Waivers

- 1. The developer shall be granted a waiver of Article 9A, Section 9A.6.7 of the Comprehensive Zoning Ordinance, which states that the maximum height of a building in a LRM-1 district shall not exceed forty (40) feet, permitting construction of buildings on this site up to a maximum height of sixty (60) feet sixty-nine feet nine and five-eight inches (69' 9 5/8").
- 2. The applicant shall be granted a waiver of Article 15, Section 15.2.3 Parking in Front Yards of the Comprehensive Zoning Ordinance, which prohibits off-street parking from being located between a street line and the nearest point of the

<sup>&</sup>lt;sup>4</sup> Subject to modification by the City Planning Commission

front façade of a building, to allow a loading space in front of the proposed structure on the Marconi Drive side of the building.

- 3. The developer shall be granted a waiver of **Article 9A.6.6.2** of the Comprehensive Zoning Ordinance, requiring any sign in LRM-1 districts be less than (50) square feet in area, allowing the developer to install an attached sign less than one hundred and twenty (120) square feet in area.
- 4. The developer shall be granted a waiver of **Article 15**, **Section 15.3.1**. Table of Requirements and **Table 15.G**. Loading Requirements of the Comprehensive Zoning Ordinance, which require the provision of two (2) off-street loading spaces, to permit the provision of one (1) off-street loading space.

### **Provisos**

- 1. The Department of Safety and Permits shall issue no building permits or licenses for this project until final development plans are approved by the City Planning Commission and recorded with the Office of Conveyances. Failure to complete the conditional use process by properly recording plans within a one year time period or failure to request an administrative extension as provided for in Article 16, Section 16.9.11 of the Comprehensive Zoning Ordinance will void the conditional use approval.
- 2. The applicant shall secure approval from the Neighborhood Conservation District Advisory Committee for demolition of the existing one-story, brick building.
- 3. The applicant shall secure approval from the Department of Public Works for all proposed curb cuts.
- 4. The applicant shall submit revised plans which remove the proposed parking spaces in front of the building and shows a loading space in front of the loading area on the Marconi Drive side of the building.
- 5. A six (6) inch continuous concrete vertical curb three foot (3') landscape strip with shrubs shall be installed along the edge of the WYES parking lot bordering the Delgado access road, with appropriately spaced molded breaks to allow for drainage.
- 6. The developer shall submit a detailed landscape plan prepared by a licensed Louisiana landscape architect, subject to final approval by City Planning Commission and the Department of Parks and Parkways indicating the following:
  - O A tree preservation and protection plan for the existing oak trees.
  - O The species, size, location, and irrigation of all proposed plant materials within the common areas, with the applicable remarks.

- O A non-invasive vine (such as creeping fig) shall be continuously planted along the façade of the existing WYES station building facing Navarre Avenue, and be allowed to overtake said building.
- O All residual areas in the parking area, which are not used for parking or vehicular access, shall be landscaped with trees, shrubs or groundcover.
- O A landscaped island shall be required every ten (10) continuous parking spaces, to include the planting of a minimum of one (1) shade tree, shrubs and/or ground cover.
- o Fence installation along the Orleans Avenue side of the property as indicated on the provided site plan, creating a unified enclosure for cellular transmission buildings and television transmission equipment.
- Fence material detail it shall occlude visibility to the public and shall not consist of open chain link fence or barbed/concertina wire.
- 7. The developer shall better articulate the entrance plaza and provide better pedestrian access. This could include landscaping modifications, choice of materials or other techniques to improve access and ambiance of the entrance of the building. The applicant shall submit revised site plans which indicate pedestrian walkways to the front entrance from Navarre Avenue and crosswalks in the parking lot.
- 8 The developer shall submit a modified site plan indicating a designated area for refuse collection and storage; this location shall not be adjacent to curb cuts, the proposed front entrance or neighboring property.
- 8. The refuse dumpster shall be stored within the designated trash storage area at all times screened by a minimum six (6) ft. opaque wood or masonry fence with latching gates.
- 9. The applicant shall provide to the City Planning Commission a litter abatement program letter, approved by the Department of Sanitation, inclusive of the stated location of trash storage, the type and quantity of trash receptacles, the frequency of trash pickup, and the clearing of litter from the adjacent sidewalks and the street right-of-way, as necessary. The name and phone number of the owner/manager shall be included in this letter to be kept on file in case of any violation.
- 10. The developer shall submit a revised West elevation drawing that integrates a vertical attached sign into the blank brick exterior of the stairwell wall. The sign text shall be composed of detached letters, and shall be illuminated at night.
- 11. The developer shall install a maximum thirty-six (36) high monument sign at each entrance to the WYES parking lot, including Navarre Avenue and Delgado access road, indicating that parking is for WYES staff and visitors only.

- 12. The developer shall submit an illumination plan indicating the location, height and specifications of lighting for the building and the parking lot area, subject to review and approval by the City Planning Commission staff. The applicant shall submit specifications for the lights and revise the lighting plan or the elevations to indicate the height of the proposed light standards, subject to the approval of the staff of the City Planning Commission. Light standards shall be limited in height to twenty-five feet (25') and shall be directed away from nearby residential areas.
- 13 The developer shall only park production trucks on the south end of the property or within the studio space.
- 13. The developer shall provide bicycle racks The applicant shall submit revised site plans which indicate the number of spaces provided in the proposed bicycle racks, to provide sufficient bicycle parking for a minimum of 1/10 of the proposed parking spaces.
- 14. The applicant shall submit revised site plans which indicate an off-street loading space that complies with the requirements in Article 15, Section 15.3.4 *Design Standards* of the Comprehensive Zoning Ordinance.

### VI. REASONS FOR RECOMMENDATION

- 1. The proposal will expand the facility for an existing institutional use.
- 2. The recommended conditions address potential adverse impacts on the surrounding neighborhood.
- 3. The provisos from the previous conditional use have been updated to reflect the proposal and include current standards for conditional use requests.
- 4. The request is consistent with the *Plan for the 21<sup>st</sup> Century: New Orleans 2030 Plan* for the portion of the site designated Institutional.
- 5. The request is not addressed by the *Plan for the 21<sup>st</sup> Century: New Orleans 2030 Plan* for the portion of the site designate Parkland and Open Space.
- VII. Should the applicant desire changes to any recommended waivers or provisos, the applicant is encouraged to bring any proposed alternative language for discussion at the meeting.



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# CITY OF NEW ORLEANS PROPERTY VIEWER

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# DEVELOPMENT CONDITIONAL USE/EXCEPTIONAL USE/PLANNED

5501

Playground Delgado

A land-use that is allowed to operate subject to design and/or operational requirements thru a review and approval process.

Zoning Action Type: CU

Zoning Docket Number: 39

Zoning Docket Year: 2010

Ordinance Number: 24,006

from the Clerk of Council's office in City Hall. Some ordinances may be found by accessing Municode. All ordinances are available

# ZONING

Zoning District: LRM-1

Zoning Description: Lake Area Low-Rise Multiple-Family Residential

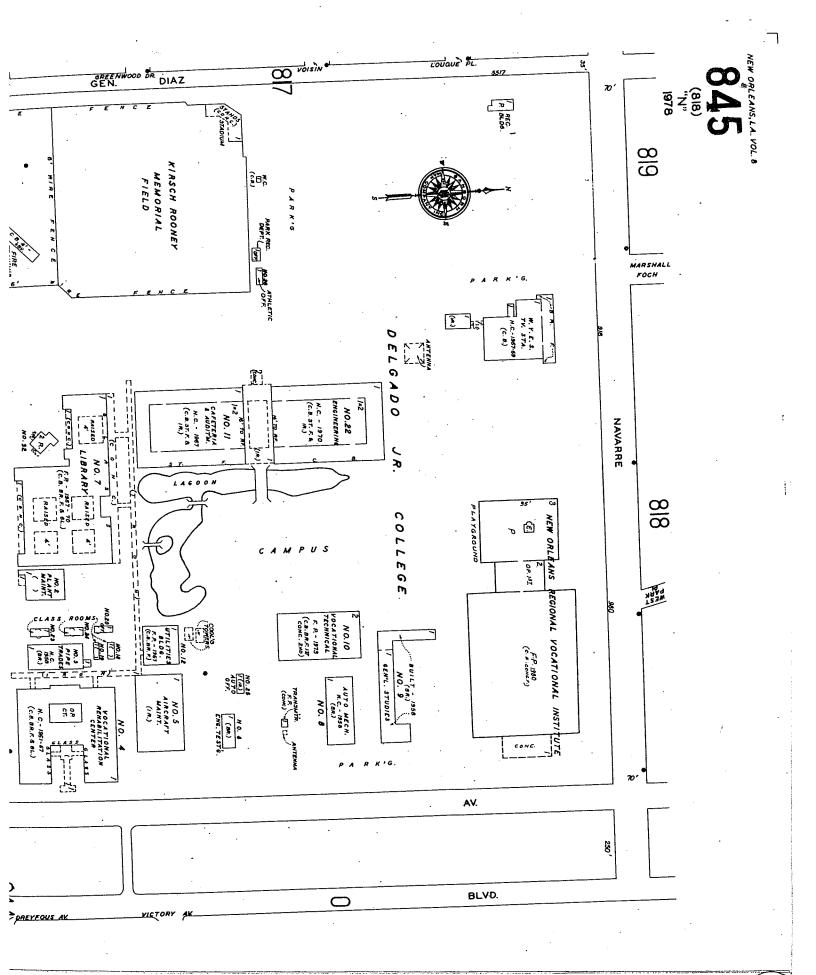
DRAFT Zoning: EC

DRAFT Zoning Description: Educational Campus District

Future Land Use: INS

Future Land Use Description: Institutional

Last Updated: Thu Dec 19 2013



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NJ

ARCHITECTS

MATHES BRIBHER ARCHITECTS
A PROFESSIONAL ARCHITECTURAL CORPORATION
PROFESSIONAL SICHARLIS MENUE SOTE 400
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MATHES BRIERRE ARCHITECTS

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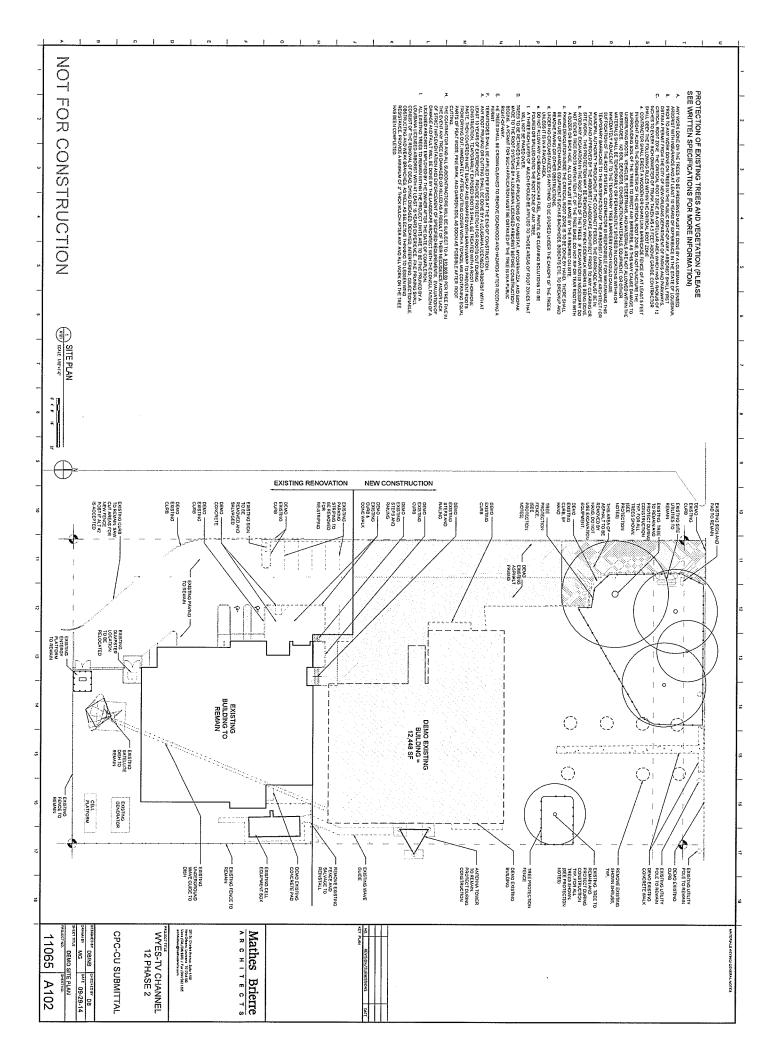
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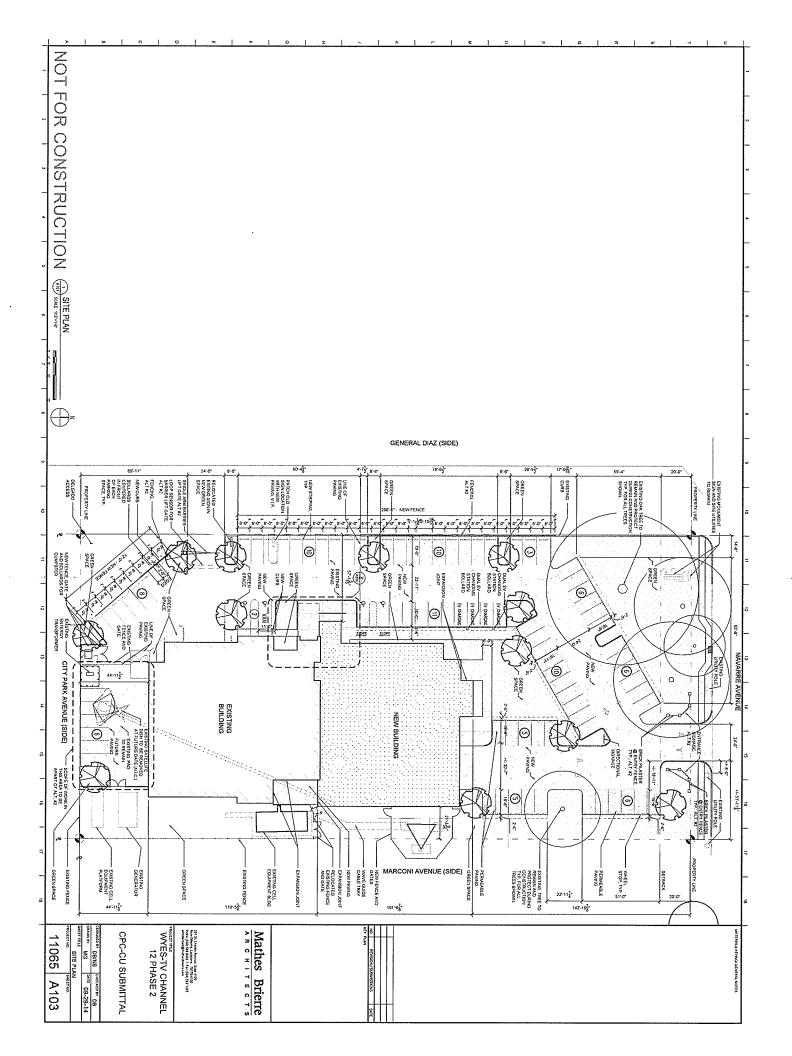
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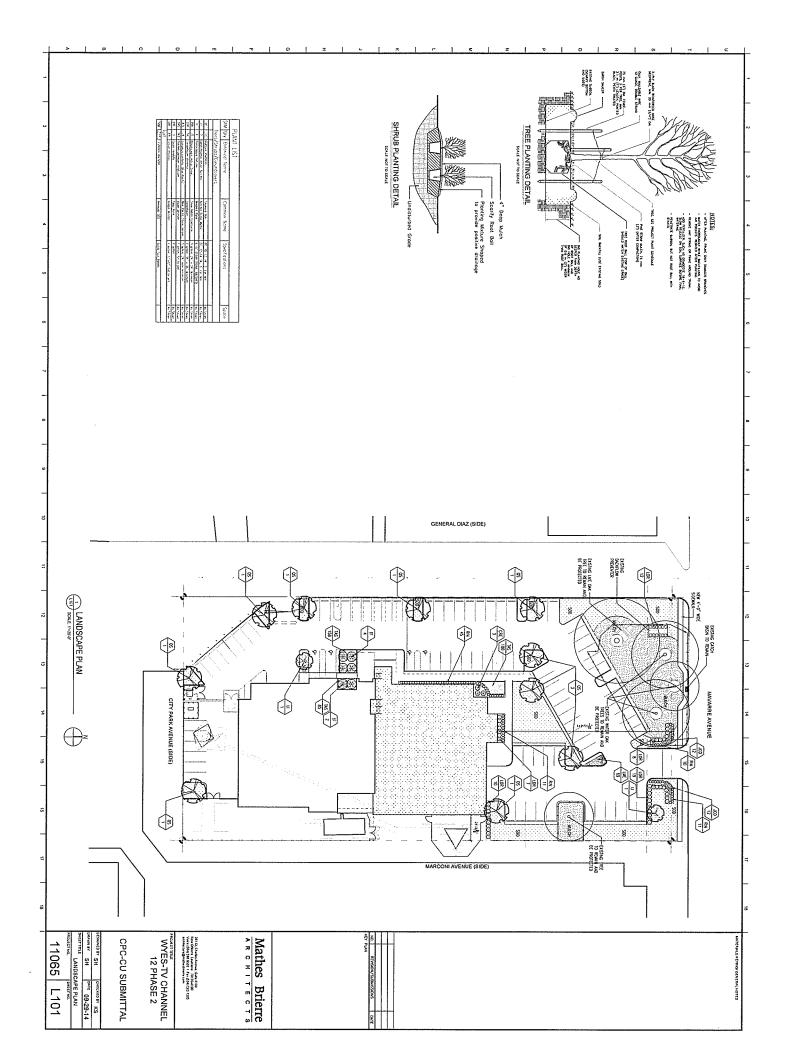
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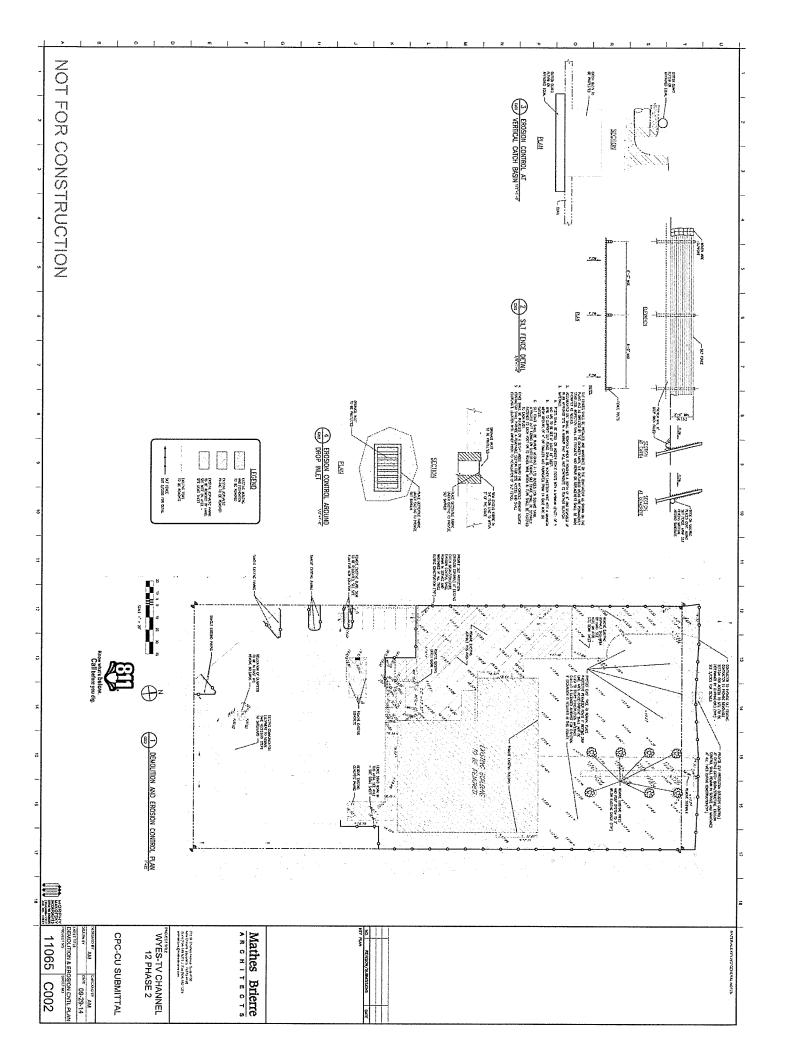
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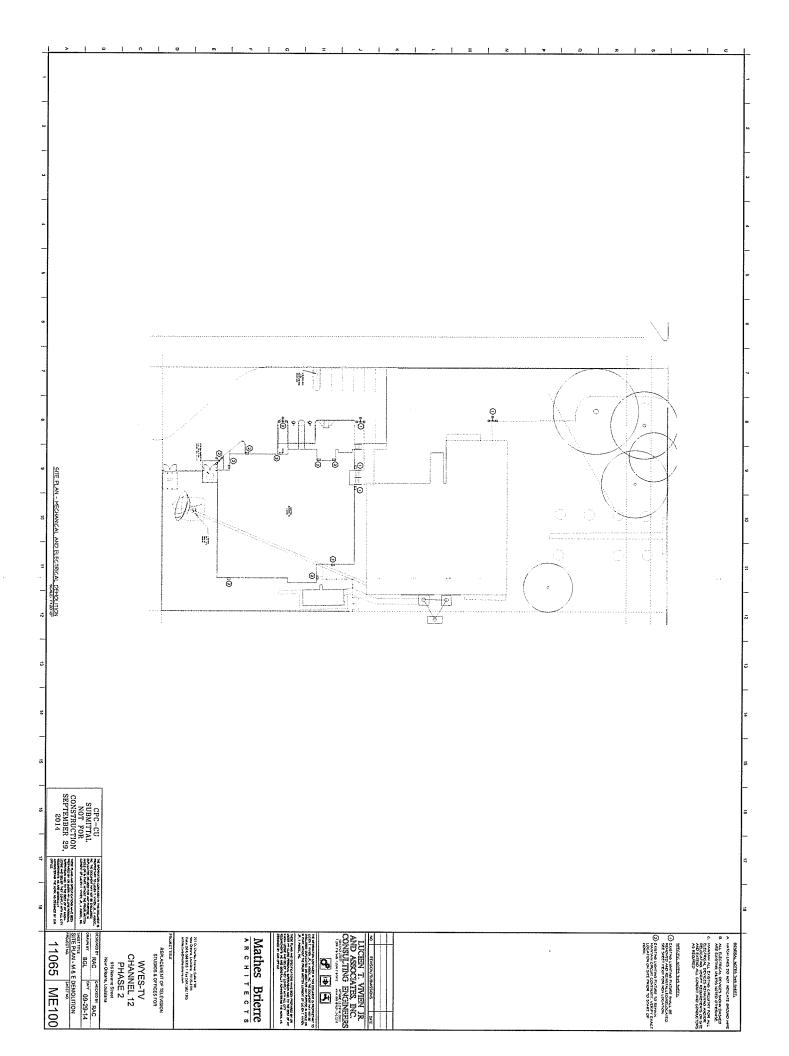
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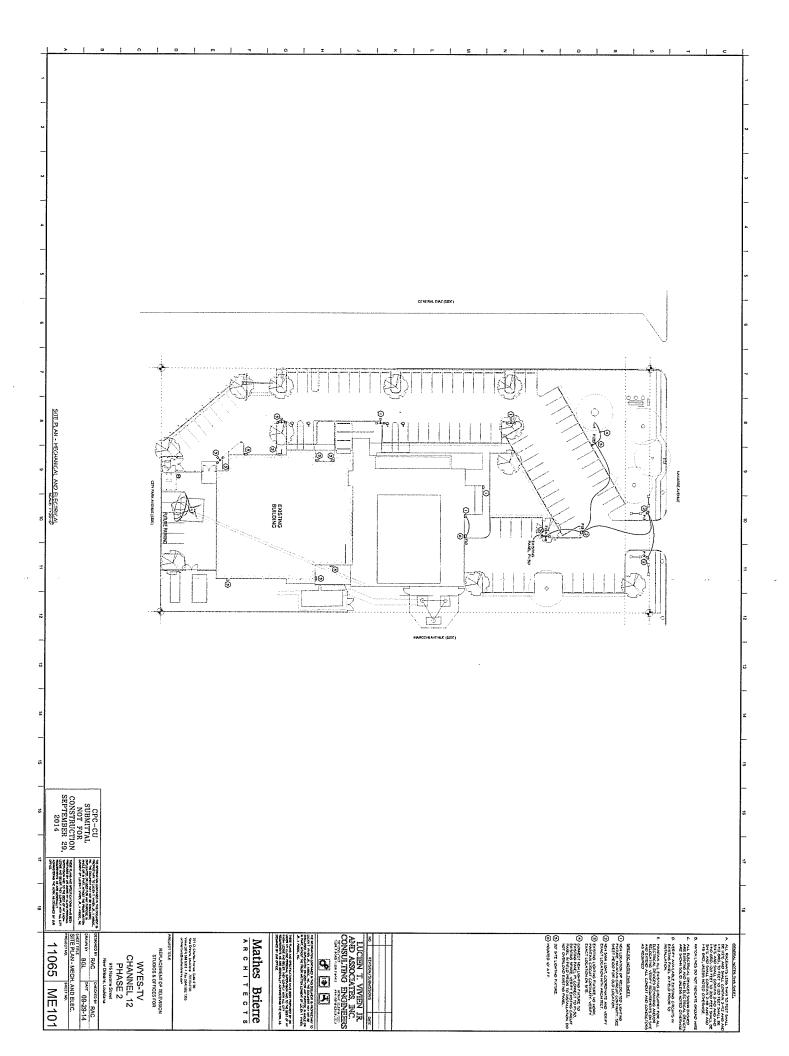


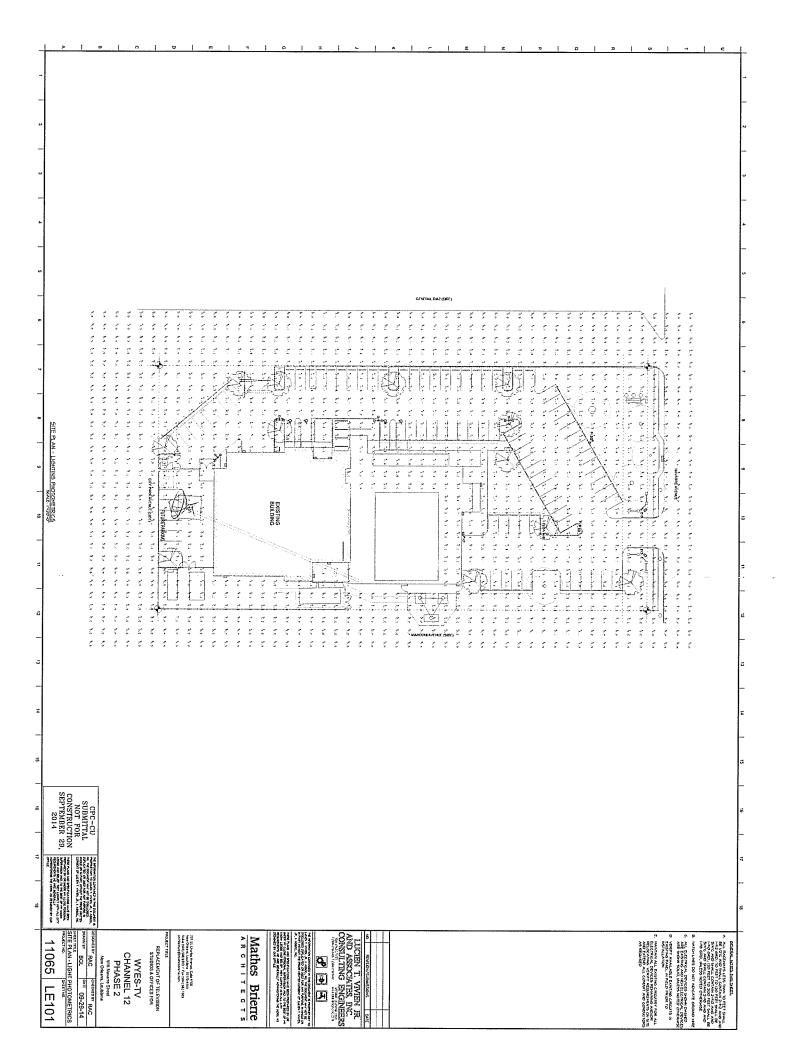


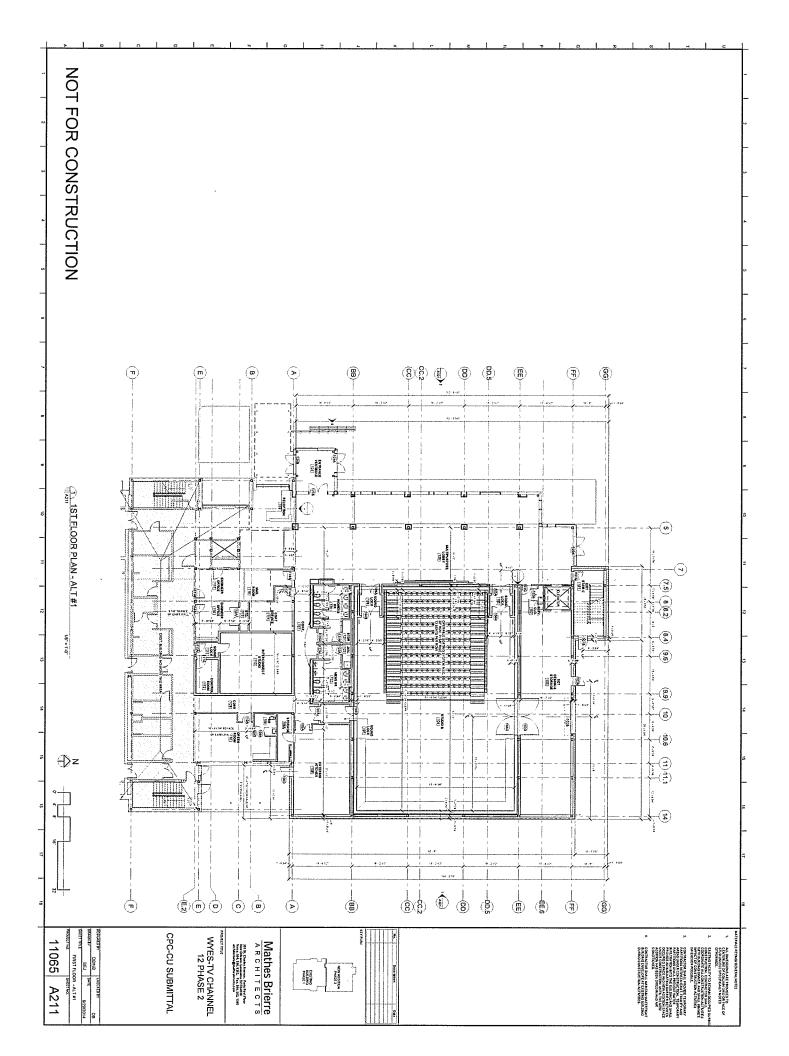


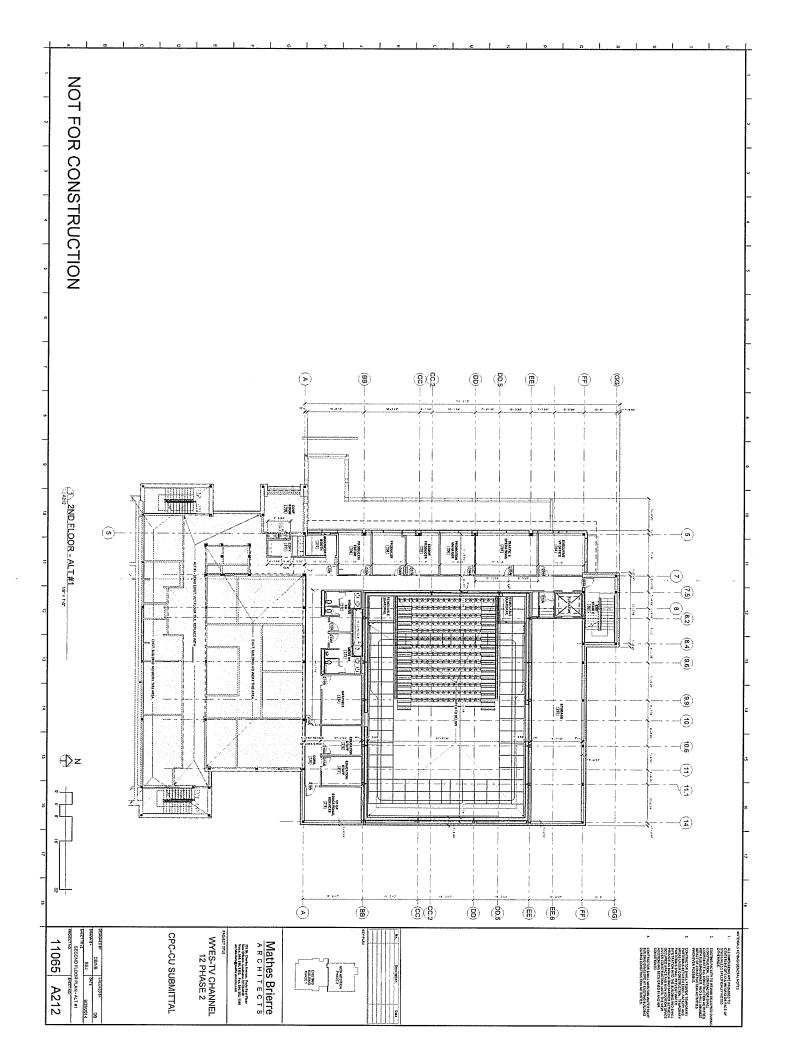


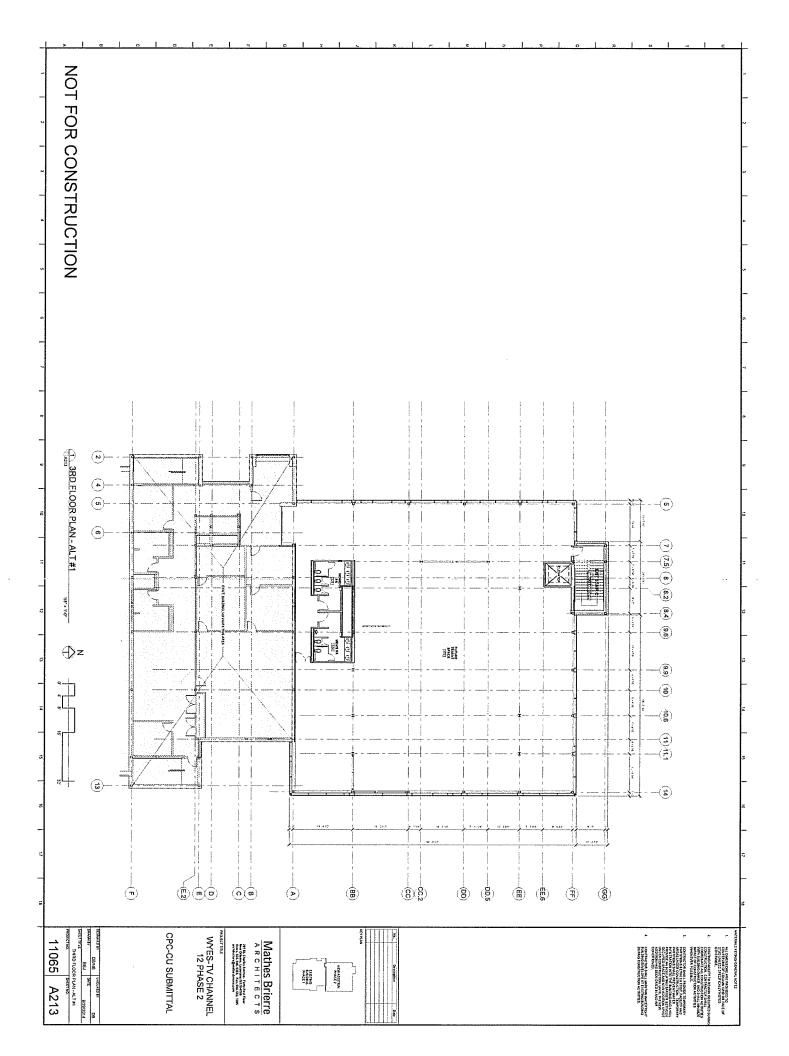


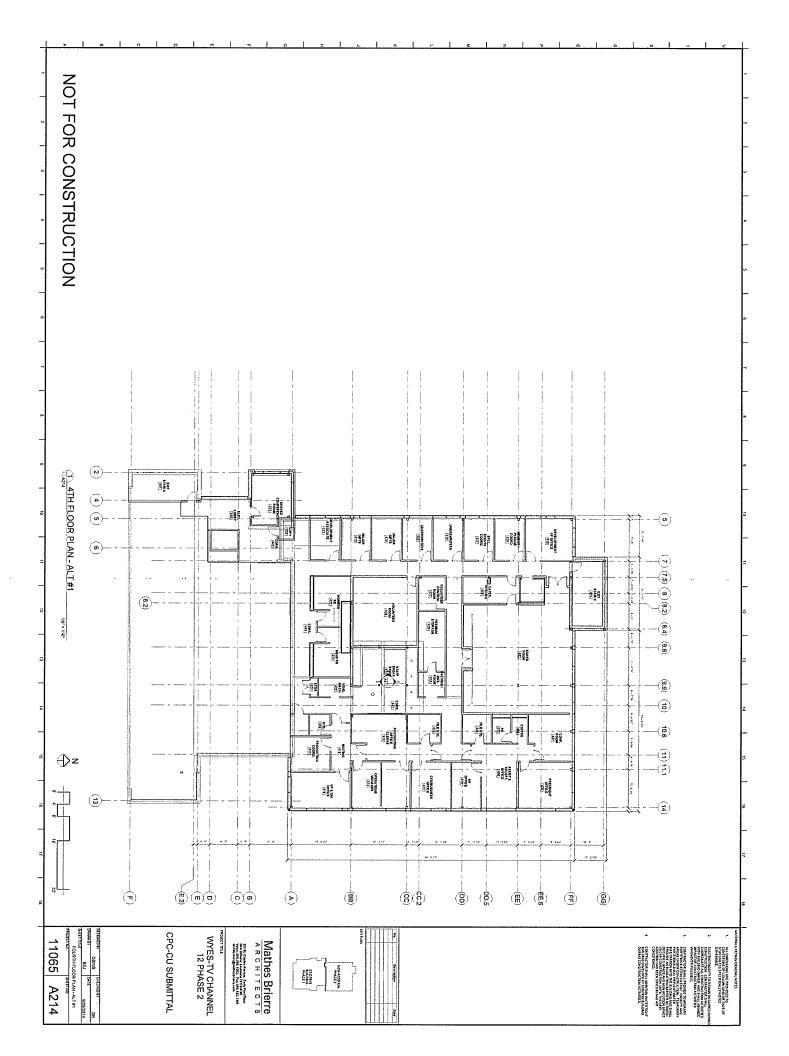


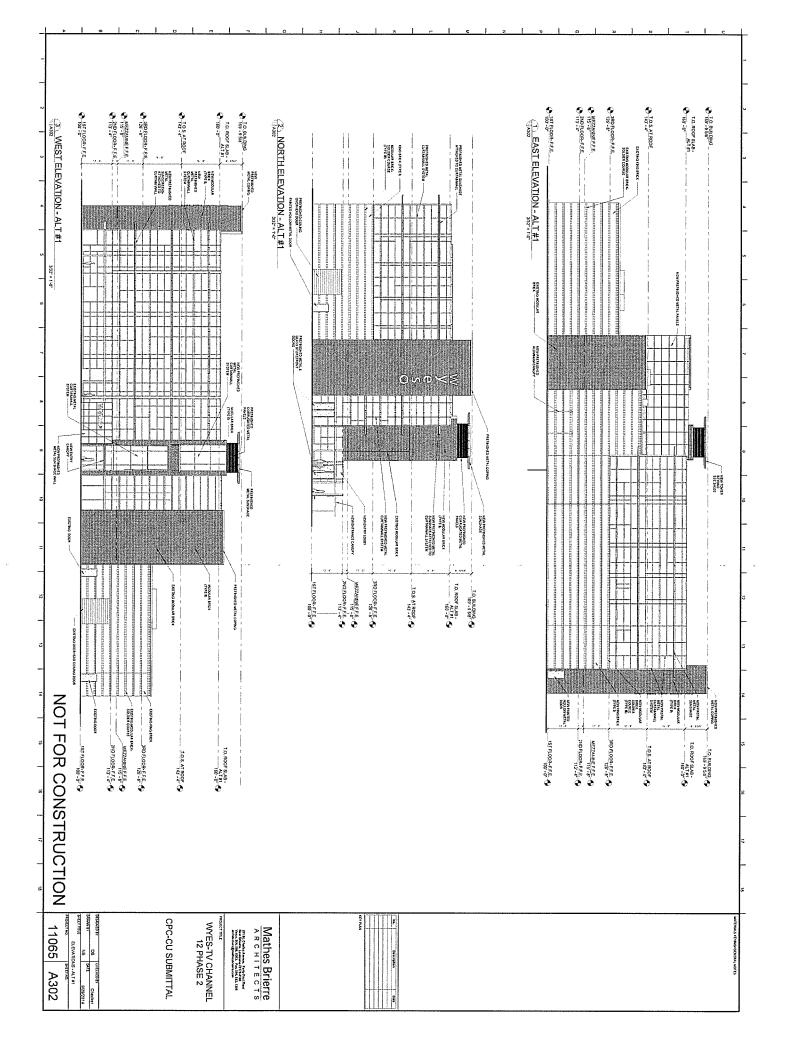


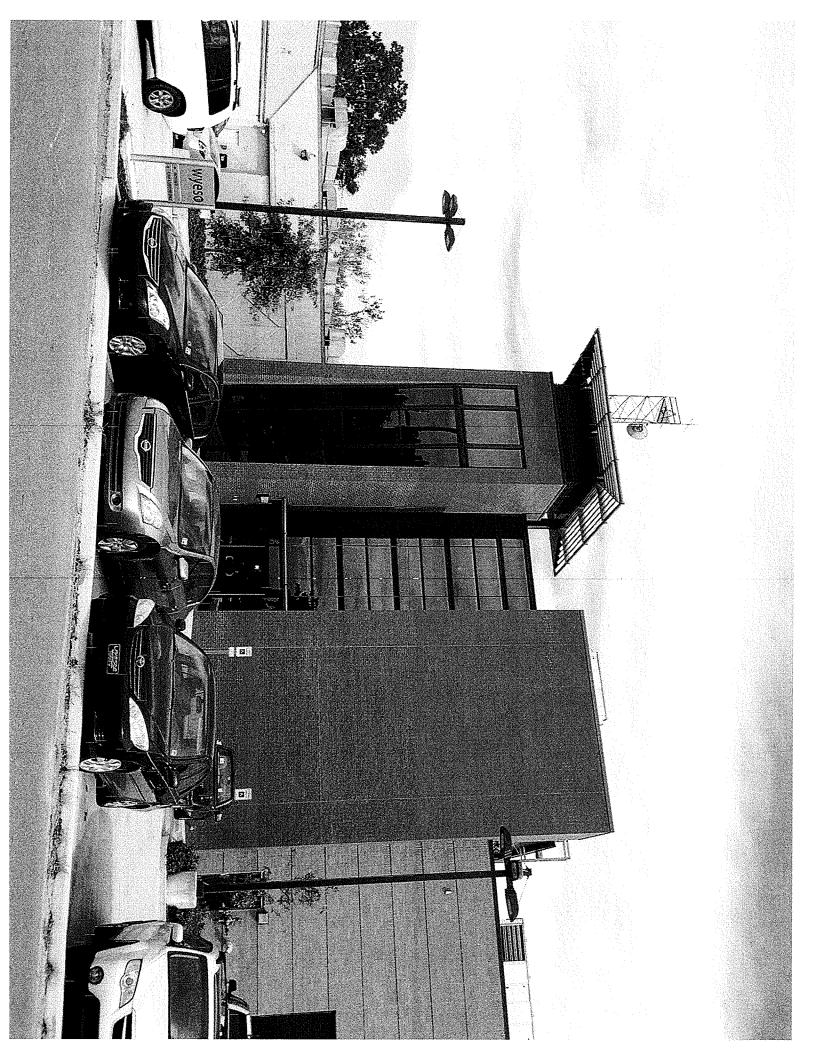














# Mathes Brierre

Project:

916 Navarre Avenue WYES Phase 2 Addition New Orleans, Louisiana Project No. 11065

### PROJECT NPP REPORT

Submitted: Monday September 29, 2014

**Project Name:** 916 Navarre Avenue – WYES TV Addition – (Phase 2)

Overview: This report provides results of the implementation of the Project Neighborhood Participation Program for the project proposed at 916 Navarre Ave located at the North side of the Delgado Parcel between Orleans Avenue and General Diaz Street. The applicant intends to file an application for amendment to the existing conditional use Ordinance No. 024006; for the property to permit an addition to the existing television broadcasting studio facility; in accordance with what is requirements from Section 9A.6.5.5 - LRM-1 Lake Area Low-Rise Multiple-Family Residential District -Conditional Uses. – Television stations and associated accessory equipment. This report provides a summary of contacts with citizens, neighbors, public agencies, and interested parties. Opportunities have been provided for everyone to learn more about the proposed plans and provide comments.

### **Contacts:**

Owner Contact
Allan Pizzato
WYES-TV
916 Navarre Avenue
New Orleans, LA 70124
Phone: (504) 486-5511
apizzato@wyes.org

### **Agent Contact**

Todd C. James – Project Manager Mathes Brierre Architects 201 St. Charles Ave. Suite 4100 New Orleans, LA, 70170-4100

Tel: 504.586.9303

tjames@mathesbrierre.com

**Neighborhood Meetings:** The following dates are locations of all meetings where neighbors and parties of interest were invited to discuss the application that is being proposed.

Meeting Minutes and Summary from Monday, September 15, 2014

### Results:

### **NPP Meeting Minutes:**

1. Introduction - Todd C James

Please See attached Power Point Presentation that outlines the overall NPP meeting presentation and content that was provided for all to comment from.

4. Questions / Discussion:

Q: Is there any fencing planned with the relocation of the driveway?

Yes, new fencing will be installed along the eastern edge of the property, and at the relocated driveway to the north side of the facility. The fencing at the north driveway is intended for identifying the facility and to direct people to the primary entry. This is open fence systems, which will not prohibit entry into the site. Also we have proposed an operable traffic control arm at the SE entrance to the site. This arm will operate when a vehicle approaches the exit from WYES side of the gate. The intention to prohibit vehicles leaving Delgado's campus from using the WYES parking lot as a bypass to access Navarre Avenue.

Q: Is there any sidewalk proposed on Navarre St.?

Yes, we are currently in discussion with the Department of Parks and Parkways staff regarding
installation of a new sidewalk along the Navarre right of way. There is currently an oak tree
that is obstructing the walk path, and we have proposed to route the walk way around the
existing tree.

Q: What is the pre function space intended for?

- The pre-function space will function as a lobby for the larger studio space. If a live studio audience recording is scheduled the space will provide for a communal space for people to interact with the production staff before and after a live filming session.
- This space will also serve as a venue for WYES to conduct fund raisers similar to the WYES Auction that has occurred on site for many prior years.

Q: Will WYES be selling parking spots for events?

• These spaces will not be leased or sold for any event whether it be for Jazz Fest, or etc.

### Q: How many spaces are required?

- According to the Current Zoning Ordinance, we are required to provide 55 total parking stalls.
   This is based upon the 1 per 1,500 sf of broadcasting / television Studios, and 1 per 75 sf of the gross seating area within the studio spaces.
- We are providing 89 total parking spaces which include 40 permeable parking stalls towards the Navarre Street side of the property.

Q: What hours of the day do you need 89 parking spaces?

• Based on the general operation around the facility, potentially from 9 am until 9 pm.

Q: Why are you taking the lawn for 89 spaces?

- The proposed plan follows the regulation form current zoning; we are not providing parking with the required front yards.
- We have had and will have events for around than can have as many as 200 people in attendance.
- Currently we have an agreement with Delgado, to use their adjacent parking area after normal
  operating hours for the college; we have used this parking it if we have any large events at the
  studios.
- Currently WYES employees over 30 people, and coupled with an additional 20 plus visiting production staff, the parking area can see as many as 60 cars on a regular basis. As stated previously filming can occur in the facility between 9am and 9pm.

Comment: Delgado has grown, and they have done nothing to accommodate congestion, crime, pollution. Students parking in the neighborhood, and parking at the stadium are both problems.

Q: Will the sign be flashy / a billboard for advertisement?

• No, the plan includes relocation of the existing backlit sign that is on the building now.

Q: Will WYES maintain the front yard?

- The front yard will be our "front yard", we want it to be kept up, and properly landscaped.
- We have noticed the issues with the grass being maintained and will have a better maintenance program setup for the new landscaping that is being proposed with this project.

Q: When Phase 1 was constructed, it took 1 year to tie the water in to Navarre, there were numerous issues with leaking water. Will we face this issue with Phase 2?

 No, since the primary service connection was provided in the first phase, we now have complete utility connections to the municipal services, and we will not need to reconnect. Q: Would WYES consider adding a trash can to the front yard?

That is a good idea, and will consider providing them along the site.

Q: In the elevation and rendering, it appears that the front of the building is very industrial with the large overhead door would you consider continuing the glass down the façade to make the building more inviting?

• We understand the concern and will review options that hay present a better façade treatment along Navarre.

Q: Considering the parking issues in the area, you should consider building a parking garage for Delgado and you all to share to relive the parking issue along Navarre.

• We understand your concern, but the parking issue with Delgado isn't part of our application to the city.

Q: How long will this take to construct?

• 12-15 months for construction, the project should be completed within a 2 years.

Summary: As a result of the NPP meeting and the comments provided above, we are addressing the ideas and concerns of each of those who had issues with the design as proposed. As it pertain the parking concerns, we believe that the submission as provided takes into account best practices to address all concerns that were provided, by introducing permeable paving systems and storm water retention elements that follow the basis for site design that has been outlined in the Draft Comprehensive Zoning Ordinance.

### **ORDINANCE**

### CITY OF NEW ORLEANS

CITY HALL: <u>May 20, 2010</u>

CALENDAR NO. 27,991

NO: \_\_\_\_\_MAYOR COUNCIL SERIES

BY: COUNCILMEMBER GUIDRY

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AN ORDINANCE to provide for a zoning change from an LP Lake Area Neighborhood Park District to an LRM-1 Lake Area Low-Rise Multiple-Family Residential District and a Conditional Use to permit the renovation and expansion of an existing television station and associated accessory equipment, in the Second Municipal District and being a portion of that certain tract known as the Delgado Tract bounded by Navarre Avenue, General Diaz Street, Orleans and City Park Avenues (Municipal Address: 916 Navarre Avenue), and otherwise to provide with respect thereto.

WHEREAS, Zoning Docket Number 39/10 was initiated by City Council Motion M-10-107 and referred to the City Planning Commission; and

WHEREAS, the City Planning Commission held a public hearing on this zoning petition and recommended approval, in the report dated May 13, 2010 to the City Council, of the zoning change and conditional use presented in **Zoning Docket Number 39/10**; and

WHEREAS, the recommendation of the City Planning Commission was upheld and the changes were deemed to be advisable and necessary and in the best interest of the City and were approved, subject three (3) waivers and ten (10) provisos, by Motion Number M-10-250 of the Council of the City of New Orleans on \_\_\_\_\_\_\_, 2010.

SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS that the Executive Director of the City Planning Commission be and is hereby directed to change the

appropriate zoning district maps together with all the notations, references and other information shown thereon, together with the lot line zoning districts maps referred to in Article 3, Section 1 of Ordinance No. 4264 M.C.S., as amended by 16,976 M.C.S., the Comprehensive Zoning Law of the City of New Orleans, the originals of which are properly attested and are on file with the Clerk of Council and attached to said ordinance and made a part thereof, to effect a zoning change an LP Lake Area Neighborhood Park District to an LRM-1 Lake Area Low-Rise Multiple-Family Residential District, in accordance with Motion Number M-10-\_\_250 of the Council of the City of New Orleans, approved on

<u>June 1</u>, 2010.

### SECTION 2. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS

- 2 that a conditional use to permit the renovation and expansion of an existing television station and
- 3 associated accessory equipment, in the Second Municipal District and being a portion of that certain
- 4 tract known as the Delgado Tract bounded by Navarre Avenue, General Diaz Street, Orleans and City
- 5 Park Avenues (Municipal Address: 916 Navarre Avenue), is hereby authorized and approved, subject to
- 6 the following waivers and provisos, as specifically set forth herein:

### WAIVERS:

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- 8 1. The developer shall be granted a waiver of Article 9A, Section 9A.6.7 of the Comprehensive
- 200 Zoning Ordinance, which states that the maximum height of a building in a LRM-1 district shall
- not exceed forty (40) feet, permitting construction of buildings on this site up to a maximum
- height of sixty (60) feet.
- 12 2. The developer shall be granted a waiver of Article 9A, Section 9A.6.6.2 of the Comprehensive
- Zoning Ordinance, requiring any sign in LRM-1 districts be less than (50) square feet in area,
- allowing the developer to install an attached sign less than one hundred and twenty (120) square
- 15 feet in area.

The developer shall be granted a waiver of Article 15, Section 15.3.1. Table of Requirements and Table 15.G. Loading Requirements of the Comprehensive Zoning Ordinance, which require the provision of two (2) off-street loading spaces, to permit the provision of one (1) off-street loading space.

### **PROVISOS:**

- No person shall use any of the properties described herein or permit another to use any of those
- 22 properties described herein for the use authorized by this ordinance, unless the following requirements
- are met and continue to be met:
- 1. A six (6) inch continuous concrete vertical curb shall be installed along the edge of the WYES
- parking lot bordering the Delgado access road, with appropriately-spaced molded breaks to
- allow for drainage.
- 27 2. The developer shall submit a detailed landscape plan prepared by a licensed Louisiana
- landscape architect, subject to final approval by City Planning Commission and the Department
- of Parks and Parkways indicating the following:
- A tree preservation and protection plan for the existing oak trees.
- The species, size, location, and irrigation of all proposed plant materials within
- the common areas, with the applicable remarks.
- A non-invasive vine (such as creeping-fig) shall be continuously planted along
- 34 the façade of the existing WYES station building facing Navarre Avenue, and be
- 35 allowed to overtake said building.
- 36 O All residual areas in the parking area, which are not used for parking or
- vehicular access, shall be landscaped with trees, shrubs or groundcover.

38	0	A landscaped island shall be required every ten (10) continuous parking spaces,
39		to include the planting of a minimum of one (1) shade tree, shrubs and/or ground
10		cover

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- Fence installation along the Orleans Avenue side of the property as indicated on the provided site plan, creating a unified enclosure for cellular transmission buildings and television transmission equipment.
- o Fence material detail it shall occlude visibility to the public and shall not consist of open chain link fence or barbed/concertina wire.
- This could include landscaping modifications, choice of materials or other techniques to improve access and ambiance of the entrance of the building.
- 49 4. The developer shall submit a modified site plan indicating a designated area for refuse collection and storage; this location shall not be adjacent to curb cuts, the proposed front entrance or neighboring property.
- 5. The refuse dumpster shall be stored within the designated trash storage area at all times screened by a minimum six (6) ft. opaque fence with latching gates.
- 54 6. The developer shall submit a revised West elevation drawing that integrates a vertical attached 55 sign into the blank brick exterior of the stairwell wall. The sign text shall be composed of 56 detached letters, and shall be illuminated at night.
- The developer shall install a maximum thirty-six (36) high monument sign at each entrance to the WYES parking lot, including Navarre Avenue and Delgado access road, indicating that parking is for WYES staff and visitors only.
- 60 8. The developer shall submit an illumination plan indicating the location, height and

- specifications of lighting for the building and the parking lot area, subject to review and approval by the City Planning Commission staff.
- 63 9. The developer shall only park production trucks on the south end of the property or within the studio space.
- The developer shall provide bicycle racks to provide sufficient bicycle parking for a minimum of 1/10 of the proposed parking spaces.
  - SECTION 3. Whoever does anything prohibited by this Ordinance or fails to do anything required to be done by this Ordinance shall be guilty of a misdemeanor and upon conviction shall be subject to a fine or to imprisonment or both, such fine and/or imprisonment set by Section 1-13 of the 1995 Code of the City of New Orleans, or shall alternatively be subject to whatever civil liabilities, penalties or remedies the law may prescribe. Conviction shall be cause for the immediate cancellation of the Use and Occupancy permit of the premises.

SECTION 4. This ordinance shall have the legal force and effect of authorizing these uses only after all the provisos listed in Section 1 of this Ordinance which impose a one-time obligation have been completely fulfilled and complied with, and only after all the provisos listed in Section 1 which impose a continuing or on-going obligation shall have begun to be fulfilled, as evidenced by the Planning Commission's approval of a final site plan (which shall be incorporated into this ordinance by reference) and its subsequent recordation, and no uses or occupancy certificates or permits (other than the building permits needed to fulfill the provisos) shall be issued until all the provisos which impose a one-time obligation have been completely fulfilled and complied with, and only after all the provisos listed in Section 1 which impose a continuing or ongoing obligation shall have begun to be fulfilled, as evidenced by the Planning Commission's approval of final site plan (which shall be incorporated into this ordinance by reference) and its subsequent recordation. If the development or construction of the

12	conditional	uses authorized herein is	not commenced within two	years from	the date this or	dinanc
13	becomes lav	v, as contemplated by Sect	ion 3-113 of the Home Rule Cl	harter of the	: City of New Orle	ans, th
14	provisions of this Ordinance shall be null, void and of no legal force and effect.					
	ADOPTED	BY THE COUNCIL OF 1	THE CITY OF NEW ORLEAD	NSNN	1 7 2010	
			ARNIE FIELKOW			
		PR	ESIDENT OF THE COUNCI	L		
	DELIVERE	D TO THE MAYOR ON	JUN 1 8 2010			
	APPROVEI	): 	JUN 2 5 2010		•	
			MITCHELL J. LANDRIEU			نتو
	*		MAYOR		,	
	RETURNEI	BY THE MAYOR ON_	JUN 25 2010	AT	1 45 PM	
			PEGGY LEWIS			
	ROLL CAL	L VOTE	CLERK OF COUNCIL			
	YEAS:	Clarkson, Fielk Hedge-Morrell,	ow, Gisleson Palmer Johnson - 7	, Guidry	, Head,	
	NAYS:	0			CEDTIFIED	
	ABSENT:	0	TOBEATRU	GOING IS ( IE AND CO! W. ( CLERK OR	1 masa	
	*		INTERIM	CLERK OK	MOONOIL	

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